

NOTIFICATION

Follow-up to decisions adopted by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety at its tenth meeting

Overview of requests for action and planned activities for the biennium 2023–2024

Dear Madam/Sir,

The purpose of the present notification is to bring to your attention the decisions adopted at the tenth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 10) that contain requests for action by Parties, other Governments, indigenous peoples and local communities, and relevant organizations in relation to the Cartagena Protocol, and to provide information on planned activities for the biennium 2023–2024 in the light of the decisions adopted at that meeting.

The present notification also addresses biosafety-related requests for action contained in the decisions adopted by the Conference of the Parties to the Convention on Biological Diversity at its fifteenth meeting. Taking into account the call made at both meetings for a coordinated, complementary and non-duplicative approach on issues related to synthetic biology under the Convention and its Protocols, and in line with [decision 15/31 of the Conference of the Parties](#), information related to synthetic biology has been included in the notification.

A list of the aforementioned requests and decisions is provided in the annex, for your consideration and appropriate action.

Intersessional activities for the biennium 2023–2024

The following intersessional meetings in support of the implementation of the Cartagena Protocol are planned to take place in line with the decisions adopted at COP-MOP 10:

- The twelfth meeting of the Informal Advisory Committee on the Biosafety Clearing-House (scheduled for 15 and 16 May 2023)
- The first meeting of the multidisciplinary Ad Hoc Technical Expert Group on Synthetic Biology (tentatively scheduled for 11 to 14 July 2023)
- The first meeting of the Ad Hoc Technical Expert Group on Risk Assessment and Risk Management (tentatively scheduled for third quarter 2023)
- The eighteenth meeting of the Compliance Committee under the Cartagena Protocol on Biosafety (tentatively scheduled for third quarter 2023)
- The second meeting of the multidisciplinary Ad Hoc Technical Expert Group on Synthetic Biology (tentatively scheduled for fourth quarter 2023)
- The second meeting of the Ad Hoc Technical Expert Group on Risk Assessment and Risk Management (tentatively scheduled for first quarter 2024)
- The fifteenth meeting of the Liaison Group on the Cartagena Protocol on Biosafety (tentatively scheduled for first quarter 2024)

To: Cartagena Protocol national focal points and CBD national focal points (where Cartagena Protocol focal points have not yet been designated), indigenous peoples and local communities, and relevant organizations

- The nineteenth meeting of the Compliance Committee under the Cartagena Protocol on Biosafety (tentatively scheduled for second quarter 2024)
- A meeting of the Network of Laboratories for the Detection and Identification of Living Modified Organisms (tentatively scheduled for fourth quarter 2024).

Matters related to the Cartagena Protocol on Biosafety will also be considered at other intersessional meetings, including:

- The twenty-sixth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice
- The fourth meeting of the Subsidiary Body on Implementation

Where applicable, the Secretariat will invite submissions, in due course, in preparation for intersessional activities. Additional information will be provided by means of notifications and in the online calendar of meetings (<https://www.cbd.int/meetings/>).

I would like to take this opportunity to thank you for your support for the work of the Cartagena Protocol on Biosafety and look forward to your continued cooperation.

Please accept the assurances of my highest consideration.

(Signed) David Cooper
Acting Executive Secretary

Enclosure

Annex

Summary of requests for action derived from the decisions adopted at the tenth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety and the fifteenth meeting of the Conference of the Parties to the Convention on Biological Diversity*

Decisions adopted at the tenth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety
<u>Decision CP-10/2. Compliance</u>
1. <i>Reminds</i> Parties of rule II, paragraph 4, of the procedures and mechanisms on compliance, and urges them to ensure that members are elected to the Compliance Committee under the Cartagena Protocol on Biosafety on the understanding that they will serve a full four-year term;
2. <i>Also reminds</i> Parties of their obligation to designate a national focal point for the Cartagena Protocol, and one or more competent national authorities, and to notify the Secretariat accordingly, as per Article 19 of the Protocol;
3. <i>Further reminds</i> Parties of their obligation to designate a national focal point for the Biosafety Clearing-House, in line with decision BS-I/3 and decision II/7 of the Conference of the Parties;
4. <i>Reminds</i> Parties of their obligation to make available in the Biosafety Clearing-House the relevant details setting out their point of contact for the purposes of receiving notifications under Article 17 of the Protocol, and urges them to do so as soon as possible;
5. <i>Urges</i> Parties and invites other Governments to provide voluntary funds in support of the four Parties ¹ that have developed compliance action plans, as well as any additional Parties that develop and implement compliance action plans at the request of the Committee;
¹ Barbados, Kyrgyzstan, Morocco and Oman.

* The full text of the decisions is available at www.cbd.int/decisions/mop/?m=cp-mop-10 and www.cbd.int/decisions/cop/?m=cop-15.

Decision CP-10/3. Implementation plan for the Cartagena Protocol on Biosafety

4. *Urges* Parties and invites other Governments to review and align, as appropriate, their national action plans and programmes relevant to the implementation of the Protocol, including their national biodiversity strategies and action plans, with the Implementation Plan;

Decision CP-10/4. Capacity-building action plan for the Cartagena Protocol on Biosafety and the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress

4. *Urges* Parties and invites other Governments to review and align, as appropriate, their national action plans and programmes relevant to the implementation of the Protocol, including their national biodiversity strategies and action plans, with the Capacity-building Action Plan;

7. *Encourages* Parties, through their competent national authorities, to identify relevant actors to support the implementation of the Capacity-building Action Plan, as appropriate, noting the importance of avoiding and managing conflicts of interest, in accordance with national legislation.

Decision CP-10/5. Operation and activities of the Biosafety Clearing-House (Article 20)

2. *Calls upon* Parties and other Governments to publish information available at the national level in the Biosafety Clearing-House in accordance with the obligations of the Protocol;

3. *Calls upon* Parties, other Governments and relevant organizations to review records they have previously published in the Biosafety Clearing-House to verify their accuracy on the new platform and to make any revisions or updates as necessary in a timely manner;

4. *Takes note* of goal A.2 and related capacity-building activities in the Implementation Plan for the Cartagena Protocol on Biosafety and the Capacity-building Action Plan for the Cartagena Protocol on Biosafety and invites Parties, other Governments and relevant organizations to carry out related activities with a view to further strengthening the role of the Biosafety Clearing-House in the implementation of the Cartagena Protocol;

5. *Welcomes* the successful implementation of the United Nations Environment Programme — Global Environment Facility “Project for Sustainable Capacity Building for Effective Participation in the Biosafety Clearing-House” (BCH III Project) and invites the United Nations Environment Programme to develop further capacity-building projects related to the Biosafety Clearing-House;

**Decision CP-10/6. Matters related to the financial mechanism and resources
(Article 28)**

4. *Invites* the Council of the Global Environment Facility to examine the possibility of creating a finance window specifically for the Cartagena Protocol on Biosafety;

5. *Urges* Parties to the Convention that are also Parties to the Cartagena Protocol to include biosafety projects in their utilization of the funding allocated to them under the System for Transparent Allocation of Resources for the eighth replenishment period of the Global Environment Facility Trust Fund, taking into account the Implementation Plan for the Cartagena Protocol on Biosafety and the Capacity-building Action Plan for the Cartagena Protocol on Biosafety, their obligations under the Cartagena Protocol on Biosafety, and the guidance of the Conference of the Parties to the Global Environment Facility;

6. *Encourages* Parties to include needs and provisions for the implementation of the Cartagena Protocol in their national biodiversity finance plans and in their national implementation of the strategy for resource mobilization for the post-2020 period;³

³ See decision 15/7 of the Conference of the Parties.

**Decision CP-10/7. Assessment and review of the effectiveness of the Protocol
(Article 35) and final evaluation of the Strategic Plan for the Cartagena Protocol
on Biosafety for the period 2011–2020**

A. National biosafety frameworks

5. *Urges* Parties to allocate the necessary resources for the operation of their biosafety institutions, given the crucial role of these institutions in implementing the Protocol;

6. *Also urges* Parties to mobilize resources from all available national and international sources, including international cooperation and the private sector, to further support operation of their biosafety institutions;

8. *Urges* Parties that have not yet fully done so to put in place legal, administrative and other measures to implement their obligations under the Protocol, in particular biosafety legislation, as a matter of priority, and recognizes that further support is needed in this area;

9. *Encourages* Parties to consider indigenous peoples and local communities, gender, women, youth and a human rights-based approach in their national biosafety frameworks;

B. Coordination and support

13. *Encourages* Parties to cooperate in biosafety capacity-building, including at the regional level;

15. *Urges* Parties and invites other Governments, donors and biosafety capacity building initiatives to make resources available to support Parties in their efforts to strengthen capacities and enhance the implementation of the Cartagena Protocol in the following priority areas: development and implementation of legal, administrative and other measures to implement the Protocol; risk assessment and risk management; detection and identification of living modified organisms; public awareness, education and participation; socioeconomic considerations; liability and redress; national reporting; and technology transfer;

E. Liability and redress

23. *Requests* the Executive Secretary, subject to the availability of resources, to undertake activities to support ratification efforts, and invites other partners to also undertake awareness-raising activities on the Supplementary Protocol;

G. Socioeconomic considerations

27. *Also notes* that more information on methodologies and approaches should be gathered and shared, and encourages Parties to exchange research and information on socioeconomic considerations to support those Parties that wish to do so to take socioeconomic considerations into account in accordance with Article 26 and Article 20 of the Protocol;

28. *Encourages* Parties to promote the involvement of indigenous peoples and local communities, women, and youth when undertaking research on socioeconomic considerations;

H. Transit, contained use, unintentional transboundary movements and emergency measures

31. *Encourages* Parties that have not yet done so to adopt the necessary measures to regulate contained use of living modified organisms and living modified organisms in transit as well as unintentional transboundary movement of living modified organisms, and recognizes the importance of supporting those Parties in adopting such measures and developing capacities in that regard;

I. Information-sharing

33. *Calls* on Parties and encourages other users to ensure that records remain up to date;

36. *Urges* Parties that have not yet completely done so to make all required information available to the Biosafety Clearing-House and keep their records up to date, focusing in particular on information related to (a) national legislation, regulations and guidelines; (b) summaries of risk assessments; (c) final decisions regarding the importation or release of living modified organisms; (d) national focal points, national points of contact and competent national authorities; (e) information on bilateral, regional or multilateral agreements or arrangements into which they have entered; and (f) information concerning illegal transboundary movements of living modified organisms;

J. Compliance and review

43. *Requests* the Executive Secretary, as appropriate and following guidance provided by the Compliance Committee, to continue following up with Parties that have not yet fully complied with their obligations under the Protocol, and requests Parties to collaborate fully in this regard;

K. Public awareness and participation, biosafety education and training

46. *Encourages* Parties and invites other users to share relevant materials on public awareness, education and participation through the Biosafety Clearing-House;

L. Outreach and cooperation

49. *Encourages* Parties to provide support, especially for developing countries, for effective participation in biotechnological and biosafety research activities, in accordance with Article 22 of the Protocol and Article 19 of the Convention.

Decision CP-10/8. Review of effectiveness of structures and processes under the Convention and its Protocols

B. Experience with virtual meetings

7. *Encourages* Parties and observers to continue to participate in hybrid meetings, when applicable, and in extraordinary circumstances, in virtual meetings, while recognizing the need to ensure the full and effective participation of Parties, especially developing country Parties, in particular the least developed and small island developing States among them, and Parties with economies in transition, to promote transparent and inclusive processes under the Convention and the Protocols, as long as no final decisions are taken virtually, with the exception of budgetary and procedural matters;

[Decision CP-10/9. Monitoring and reporting \(Article 33\)](#)

4. *Urges* Parties that have not yet submitted their fourth national report to do so as soon as possible;¹

¹ Afghanistan, Albania, Angola, Azerbaijan, Belize, Bolivia, Cabo Verde, Democratic People's Republic of Korea, Djibouti, Dominica, Fiji, Honduras, Jordan, Kiribati, Kyrgyzstan, Libya, Marshall Islands, Mauritius, Mongolia, Nauru, Niue, Papua New Guinea, Qatar, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Seychelles, Syrian Arab Republic, Tajikistan, Trinidad and Tobago and Yemen.

6. *Reminds* Parties of their obligation to publish their national reports in the Biosafety Clearing-House, in accordance with Article 20 of the Protocol;

7. *Encourages* Parties that have submitted their report in an offline format to ensure its publication in the Biosafety Clearing-House in coordination with the Secretariat, as necessary;

8. *Urges* Parties that have submitted an incomplete fourth national report to provide the missing information as soon as possible;

10. *Requests* Parties to use the final format for the preparation of their fifth national report on the implementation of the Cartagena Protocol on Biosafety;

11. *Invites* Parties to prepare their reports through a consultative process involving indigenous peoples and local communities, women and youth, and all relevant national stakeholders, as appropriate;

12. *Encourages* Parties to respond to all questions in the reporting format, and stresses the importance of the timely submission of fifth national reports in order to facilitate the midterm evaluation of the Implementation Plan for the Cartagena Protocol on Biosafety;

13. *Requests* Parties and invites other Governments to submit to the Secretariat their fifth national report on the implementation of the Cartagena Protocol on Biosafety:

- (a) In an official language of the United Nations;
- (b) At the same time as the seventh national reports under the Convention are due;³
- (c) Through the Biosafety Clearing-House;

³ Decision 15/6 of the Conference of the Parties.

14. *Requests* Parties experiencing challenges submitting their national report through the Biosafety Clearing-House to coordinate with the Secretariat to facilitate the publication of their national report in the Biosafety Clearing-House;

16. *Urges* eligible Parties to submit their letters of commitment to the implementing agency in a timely manner to ensure that projects to support the preparation of fifth national reports can be submitted to the Global Environment Facility for approval well before the deadline for the submission of the reports;

17. *Notes* decision 15/6 and decision 15/4 of the Conference of the Parties and encourages Parties to the Cartagena Protocol to contribute to national processes for the preparation of the seventh national reports under the Convention, including by providing information related to targets relevant for biosafety.

Decision CP-10/10. Risk assessment and risk management (Articles 15 and 16)

4. *Notes* the range of perspectives on the need for the development of guidance on risk assessment of living modified fish, decides not to proceed, at this stage, with the development of additional voluntary guidance materials on risk assessment regarding living modified fish, and encourages Parties and invites other Governments and relevant organizations to promote international cooperation, information sharing and capacity-building on risk assessment of living modified fish, and to make use of existing guidance materials, with a view to considering further guidance on living modified fish at its eleventh meeting, subject to the provisions of annex I to decision CP-9/13;

7. *Invites* Parties, other Governments, indigenous peoples and local communities and relevant organizations to submit to the Executive Secretary information relevant to the work of the Ad Hoc Technical Expert Group on Risk Assessment established in paragraph 6 above;

8. *Invites* Parties to also submit information on their needs and priorities for further guidance materials on specific topics of risk assessment of living modified organisms, including a rationale following the criteria set out in decision CP-9/13, annex I;

9. *Calls upon* Parties, other Governments and relevant organizations to continue to disseminate information and share experiences, especially through the Biosafety Clearing-House, that are useful for risk assessments of living modified organisms, including living modified fish and organisms containing engineered gene drives;

Decision CP-10/11. Detection and identification of living modified organisms

2. *Recognizes* the importance of the Network of Laboratories for the Detection and Identification of Living Modified Organisms and encourages Parties to continue to cooperate to develop regional networks of laboratories to facilitate the exchange of experience, sharing of information and building of expertise in the field;

3. *Invites* Parties and relevant organizations to submit information on their experience with new detection techniques, detecting newly developed and unauthorized living modified organisms, and developing reference materials, as well as ongoing collaborations involving national and regional laboratories, and also invites Parties, in particular those that have not yet done so, to submit information on their laboratories, including their specific activities, to the Biosafety Clearing-House using the Laboratory common format;

5. *Urges* Parties and invites international organizations to provide financial resources, in particular for developing countries, in particular the least developed countries and small island developing States, and countries with economies in transition, to laboratories and to strengthen the infrastructure for detection and identification of living modified organisms;

6. *Encourages* Parties and international organizations to fund the capacity-building of personnel involved in the field of detection and identification of living modified organisms;

Decision CP-10/12. Socioeconomic considerations (Article 26)

2. *Invites* Parties, other Governments, relevant organizations and other stakeholders to cooperate and share relevant experiences on taking socioeconomic considerations into account in decision-taking on living modified organisms in accordance with Article 26 of the Protocol;

3. *Also invites* Parties, other Governments, relevant organizations and other stakeholders, as appropriate, to use the voluntary Guidance and submit experiences in the use of the Guidance to the Executive Secretary, as well as examples of methodologies and applications of socioeconomic considerations in the light of the elements of the voluntary Guidance;

Decision CP-10/13. Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress

2. *Notes with regret* the limited number of Parties to the Cartagena Protocol on Biosafety that have ratified the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress and invites all Parties to the Cartagena Protocol on Biosafety that have not yet done so to deposit their instrument of ratification, acceptance, approval or accession to the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress as soon as possible;

3. *Welcomes* the progress made by many Parties in the implementation of the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress and urges Parties to the Supplementary Protocol to take the further necessary steps for its full and effective implementation;

6. *Reminds* Parties to the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to designate a competent authority to perform the functions set out in Article 5 of the Supplementary Protocol and to publish information on these competent authorities using the common format available for this purpose in the Biosafety Clearing-House;

8. *Reminds* Parties to the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress of the polluter pays principle and encourages them to take this principle into account, where applicable, when further developing financial security mechanisms;

9. *Requests* Parties to the Supplementary Protocol and invites other Governments to submit information to the Executive Secretary on the measures they have in place to provide for financial security for damage from living modified organisms, in particular where they have reported having such measures in place in their fourth national reports;

11. *Welcomes* the inclusion of questions on the Supplementary Protocol in the format for the fifth national report,⁵ and requests Parties to the Supplementary Protocol and invites other Governments to respond to these questions;

⁵ See decision CP-10/9.

Decisions adopted at the fifteenth meeting of the Conference of the Parties to the Convention on Biological Diversity

Decision 15/31. Synthetic biology

B. Process for broad and regular horizon scanning monitoring and assessment

7. *Invites* Parties, other Governments, indigenous peoples and local communities, and relevant organizations to submit to the Executive Secretary information relevant to the trends referred to in paragraph 6 above to inform the horizon scanning, monitoring and assessment;

8. *Calls upon* Parties and other stakeholders to facilitate broad international cooperation, technology transfer, knowledge-sharing, including through the Biosafety Clearing-House, for products of synthetic biology that are considered to be living modified organisms, and capacity-building on synthetic biology, taking into account the needs of Parties and of indigenous peoples and local communities;

Decision 15/15. Financial mechanism

9. *Adopts* the consolidated previous guidance to the Global Environment Facility contained in annex II A to the present decision, decides to retire the previous decisions and elements of decisions, as related to the financial mechanism and limited only to those provisions related to the financial mechanism and also adopts additional guidance to the Global Environment Facility contained in annex II B to the present decision;

Annex II B

Additional Guidance to the Global Environment Facility

Cartagena Protocol on Biosafety

9. *Invites* the Global Environment Facility:
- (a) To strengthen its funding programme dedicated to the Cartagena Protocol on Biosafety to support eligible Parties in implementing the Protocol, the Implementation Plan for the Cartagena Protocol on Biosafety and the Capacity-building Action Plan for the Cartagena Protocol on Biosafety;
 - (b) To improve and simplify the modalities for access to its funding for the Cartagena Protocol, to support eligible Parties in the implementation of the Protocol, its Implementation Plan and Capacity building Action Plan;
 - (c) To continue to make funds available in a timely manner to support eligible Parties in preparing and submitting their fifth national reports under the Cartagena Protocol;
 - (d) To continue to assist eligible Parties in undertaking activities in the following areas: development and implementation of legal, administrative and other measures to implement the Protocol; risk assessment and risk management; detection and identification of living modified organisms; public awareness, education and participation; socioeconomic considerations; liability

and redress; national reporting; information-sharing and the Biosafety Clearing-House; knowledge and technology transfer; and the implementation of compliance action plans regarding the achievement of compliance with the Protocol;

10. *Invites* the Council of the Global Environment Facility to examine the possibility to create a finance window specifically for the Cartagena Protocol on Biosafety;

Decision 15/34, Budget for the integrated programme of work of the Secretariat

17. *Invites* all Parties to the Convention to note that contributions to the core programme budgets (BY, BG and BB) are due on 1 January of the year for which those contributions have been budgeted and to pay them promptly, and requests that Parties be notified of the amount of their contributions as early as possible in the year preceding the year in which the contributions are due;

19. *Urges* Parties that have still not paid their contributions to the core budgets (BY, BG, BB Trust Funds) for 2022 and prior years to do so without delay or conditionalities, and requests the Executive Secretary to publish and keep up-to-date the information on the status of contributions to the trust funds of the Convention (BY, BG, BB, BE, BZ and VB) and to keep the members of the Bureaux of the Convention and its Protocols updated so that they can provide information on unpaid contributions and their consequences to the respective regions as indicated in paragraph 21 below;

20. *Requests* the United Nations Environment Programme, in its capacity as Trustee, to utilize all available diplomatic channels to communicate to the relevant Parties the arrears in their contributions to the trust funds of the Convention on Biological Diversity (BY, BG and BB) from 2022 and prior years with a view to the payment of such arrears in full for the benefit of all Parties to the Convention and its Protocols, and requests the Executive Secretary to report to the Bureau and the Conference of the Parties at its sixteenth meeting on the status of these arrears;

29. *Strongly encourages* developed country Parties and other Parties in a position to do so, including in the context of South-South cooperation, to provide the necessary financial resources to the BZ Trust Fund in order to enable the full and effective participation of representatives of developing country Parties, in particular the least developed countries and small island developing States, as well as countries with economies in transition, at meetings of the Conference of the Parties, the Conference of the Parties serving as the meetings of the Parties to the Protocols, the Subsidiary Body on Scientific, Technical and Technological Advice, the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions, and the Subsidiary Body on Implementation;

31. *Encourages* developed country Parties and other Parties in a position to do so, to facilitate engagement by the Secretariat with potential alternative donors to the BZ Trust Fund, including private and philanthropic bodies, to assist in funding the participation of eligible developing countries in meetings of the Parties to the Convention and its Protocols;
